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Tarrant County Texas

Official Public Records

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**AMENDMENT OF DESCRIPTION OF
OIL AND GAS LEASE
AND MEMORANDUM OF OIL AND GAS LEASE**

STATE OF TEXAS }

COUNTY OF TARRANT }

WHEREAS, W. I. Cook Foundation, a Texas non-profit corporation (hereinafter referred to as "Lessor"), executed an Oil and Gas Lease dated April 15, 2008, in favor of **XTO Energy Inc., a Delaware Corporation** (hereinafter referred to as "Lessee"), recorded as Memorandum of Oil and Gas Lease at Document No. D208146186 of the Official Public Records of Tarrant County, Texas (hereinafter referred to as the "Lease");

WHEREAS, the parties wish to amend the Lease to include an additional tract of land,

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee do hereby amend the Lease in respect to the description of the lands included therein, and ratify and adopt the same as so amended. The amended description shall now read as follows:

Being **5.0823 acres** of land, more or less, comprised of eight (8) separate tracts, being more fully described as:

Tract One: 0.5401 acres, more or less, described as Lots 15, 16 and the South 40 feet of Lot 17 of the Southland Subdivision of Block 10 of the Fields Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat and Dedication recorded in Volume 310, Page 5, Plat Records, Tarrant County, Texas.

Tract Two: 0.2691 acres, more or less, described as part of Lot 12 of the Southland Subdivision of Block 10 of the Fields Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat and Dedication recorded in Volume 310, Page 5, Plat Records, Tarrant County, Texas, further described in a deed dated November 4, 1996, from Jack E. Wilson and Ruth Wilson to W. I. Cook Foundation, recorded in Volume 12571, Page 1862, Official Records, Tarrant County, Texas.

Tract Three: 0.3872 acres, more or less, described as being a part of Lots 8 and 9 of the Southland Subdivision of Block 10 of the Fields Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat and Dedication recorded in Volume 310, Page 5, Plat Records, Tarrant County, Texas, further described in a deed dated effective March 14, 1997, from Camelot AKM to W. I. Cook Foundation, recorded in Volume 12702, Page 121, Official Records, Tarrant County, Texas.

Tract Four: 0.6972 acres, more or less, described as Lots 1, 2, 3, 4, 5 and 6, Block 5, Grandview Addition, an Addition to the City of Fort Worth, according to the Plat recorded in Volume 63, Page 29, Plat Records, Tarrant County, Texas.

Tract Five: 0.7744 acres, more or less, described as Lots 31, 32, 33, 34, 35, 36, 37 and 38, Block 6, Grandview Addition, being a part of the original Block 9, Field Welch 320 acre survey, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat recorded in Volume 63, Page 29, Plat Records, Tarrant County, Texas.

Tract Six: 0.3510 acres, more or less, described as Lots 20, 21 and 22, Block 6, Grandview Addition, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat thereof recorded in Volume 63, Page 29, Plat Records, Tarrant County, Texas; **SAVE AND EXCEPT** that certain tract described in Exhibit "A" by metes and bounds in a deed dated June 6,

2002, from Professional Reproductions of Fort Worth, Inc., to W. I. Cook Foundation, recorded in Volume 15738, Page 348, Official Records, Tarrant County, Texas.

Tract Seven: 0.1933 acres, more or less, described as Lot 14 of the Southland Subdivision of Block 10 of the Fields Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat and Dedication recorded in Volume 310, Page 5, Plat Records, Tarrant County, Texas.

Tract Eight: 1.87 acres of land, more or less, situated in the William Welch Survey, A-1644, Tarrant County, Texas, being Lot 9-R, Block 5, Grandview Addition, according to the Revised Plat thereof recorded in Volume 388-154, Page 30, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Special Warranty Deed dated effective September 30, 2009, from Fort Worth Nursing and Rehabilitation Center, Ltd., a Texas limited partnership, to W. I. Cook Foundation, Inc., a Texas non-profit corporation, D/B/A Cook Children's Health Foundation, as recorded at Document No. D209260318, Official Public Records, Tarrant County, Texas.

Lessor hereby ratifies and confirms said Lease and agrees and declares that said Lease, and all of its terms and provisions, as amended hereby, is binding on them, their successors and assigns, and is a valid and subsisting oil and gas lease; and Lessor does hereby lease, demise and let the lands described hereinabove, to Lessee, its successors and assigns, in accordance with all of the terms of said Lease, as amended hereby, and ratify and adopt the same as so amended. Except as otherwise amended the Lease is and shall remain in full force and effect as written in accordance with its terms and conditions.

IN WITNESS WHEREOF, this instrument is executed on this the respective date of the acknowledgment below.

LESSOR:

**W. I. COOK FOUNDATION,
A Texas non-profit corporation**

George B. Montague

By: George B. Montague, as Vice-President of Real Estate for W. I. Cook Foundation, a Texas non-profit corporation

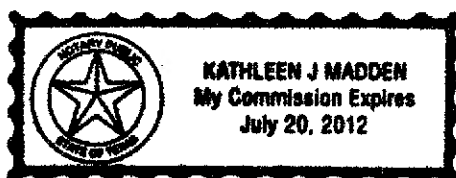
ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public, on this day appeared George B. Montague as VP-Real Estate of the **W. I. Cook Foundation, a Texas non-profit corporation**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that (s)he has executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 15th day of January, 2010.

(Seal)



Kathleen J. Madden
Notary Public, State of Texas

LESSEE:

XTO ENERGY INC.

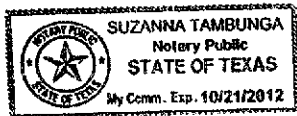
By: Edwin S. Ryan, Jr. *ER*
Edwin S. Ryan, Jr.
Sr. Vice President Land Administration

STATE OF TEXAS §

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COUNTY OF TARRANT §

This instrument was acknowledged before me on the 25th day of January 2010, by Edwin S. Ryan, Jr., the Senior Vice President – Land Administration of XTO Energy Inc., a Delaware corporation, on behalf of said corporation.



Suzanna Tambunga
Notary Public, State of Texas